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FISCAL IMPACT STATEMENT

LS 6107

BILL NUMBER: HB 1019

NOTE PREPARED: Jan 17, 2012

BILL AMENDED: Jan 11, 2012

SUBJECT: Adoption History Information.

FIRST AUTHOR: Rep. Karickhoff

FIRST SPONSOR: Sen. Broden

BILL STATUS: As Passed House

FUNDS AFFECTED: ☒ **GENERAL**
☐ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill allows a relative of an adoptee or a pre-adoptive sibling to obtain medical history information and to file a petition with an appropriate court to request the release of medical information, nonidentifying information, or identifying information. The bill requires that a petition requesting release of medical, nonidentifying, or identifying information must include the reasons why the release of information may be beneficial to the adoptee, pre-adoptive sibling, or birth parent. (Current law requires that the petition must include reasons why the release of information may be beneficial to the adoptee or birth parent.)

This bill requires the court to appoint a confidential intermediary if certain requirements are met and the petitioner has shown an emergency medical need or good cause relating to the welfare of an adoptee, a birth parent, an adoptive parent, a relative of a birth parent, a relative of an adoptive parent, a relative of an adoptee, a pre-adoptive sibling, the Department of Child Services or a county office of family and children, an adoption agency, or a court. (Current law requires the court to appoint a confidential intermediary if certain requirements are met and the petitioner has shown an emergency medical need or good cause relating to the welfare of an adoptee or birth parent.)

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues: To the extent this bill increases the number of individuals who request adoption history information from courts with probate jurisdiction, revenue to the state General Fund will

increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$5), judicial salaries fee (\$19), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures: This bill will increase court caseload to the extent pre-adoptive siblings and relatives of an adoptee petition the court for the release of adoption history information. Actual increase in court caseload are unknown but expected to be small.

Explanation of Local Revenues: To the extent this bill increases the number of individuals who request adoption history information from courts with probate jurisdiction, local revenue from court fees will increase. Of the revenue received, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Courts with probate jurisdiction.

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